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ABSTRACT

Many researchers have begun to investigate juvenile justice as a series of interdependent treatment and punishment decisions made by different professionals. To test the effects of resource availability and agency type on judgments of amenability to treatment, court personnel (N=49), social service workers (N=66), and community mental health workers (N=53) from six locations in the same state responded to prose vignettes and videotaped interviews with adolescents portraying juvenile offenders. The vignettes represented a range of background characteristics found to be related to high, medium, or low amenability to treatment. Multivariate analysis showed a relationship between the three variables, but the hypothesized linear relationship did not emerge consistently. There was a consistent trend across agency types to view punishment as beneficial when few resources were available; however, court personnel across all resource availability conditions saw punishment as beneficial. All personnel in all resource conditions saw non-residential therapy as the most effective service for problem adolescents. Social service and mental health personnel in medium resource availability conditions saw youths as more treatable than did comparable personnel in high or low resource availability conditions. Court and social service personnel in medium resource availability conditions tended to see a variety of services as less effective than comparable personnel in low or high resource availability conditions. Individual background characteristics of agency personnel were generally unrelated to amenability judgments or preferred treatment choices. The findings suggest that amenability judgments may be sensitive to local conditions, and medium resource availability may make personnel more optimistic about treatment potential but more pessimistic about the effectiveness of certain services. (JAC)

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Effects of Service Availability on Clinical Judgments of Delinquents

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Background

No part of the criminal justice system has relied more on clinical information than the juvenile justice system. The hallmark of juvenile justice has always been a focus on the individual rather than the offense (Fox, 1970), and clinical information from probation officers, social workers, or mental health professionals has been considered central to its mission. From the early "court clinics" to the present "assessment centers," juvenile justice has reflected a symbiosis between legal and social service agencies. An emphasis on informed discretion about the best treatment approach, rather than on the rule of law, has made juvenile justice unique in the American legal system (Whitebred and Paulsen, 1974).

Recently there has been considerable disillusionment with the ability of this system of individualized justice to either control youth crime (Zimring, 1978) or ensure juvenile rights (IJA/ABA, 1980). Informed debate regarding reasonable reforms, however, has been limited by the amount of solid data regarding the use of clinical discretion in the present juvenile justice system (Barton, 1976). In efforts to address this issue, many researchers have abandoned the search for the consistencies of the "system" overall, and have begun instead to investigate juvenile justice as a series of interdependent treatment and punishment decisions made by a number of different professionals (e.g., Blomberg, 1977; Lamiell, 1979). It is hoped that understanding the influence of certain factors on the judgment process can both inform policy and improve clinical performance.

The present study operationalized and tested the effect of two contextual variables, i.e., resource availability and agency type, on judgments of amenability to treatment. Controls for case characteristics and decisionmaker background characteristics were included in the design and statistical analyses. The purpose of the study was to isolate and test the influence of these organizational and community-level variables on judgments made by juvenile justice gatekeepers.

Judgments regarding amenability to treatment were examined because these determinations reflect one of the most common judgments asked of mental health professionals by the juvenile court. This judgment underpins a number of juvenile court actions (e.g., transfer to adult court, diversion to alternative services, disposition), and gatekeepers of the juvenile justice system regularly make clinical determinations regarding a youth's potential for rehabilitation. Having more sophisticated observational skills and/or knowledge of theory and research, a mental health or juvenile justice professional presumably provides a more objective analysis of a youth's amenability to the treatment options available at each stage of processing.

The variables of resource availability and agency type were chosen as logical factors which are salient contributors to the context in which these amenability judgments are made. A major assumption underpinning diversion and deinstitutionalization in juvenile justice is that clinical judgments by social service providers can contribute powerful, acceptably objective information about the optimal match of a youth to a treatment service.

However, since clinical judgment has been shown to be affected by a wide range of factors such as theoretical orientation and common illusory correlations, it was thought that clinical judgment of juvenile offenders may be more situationally dependent than commonly assumed.

The present study was an initial attempt to test for a reciprocal effect between service availability and judgments about the suitability of a service. The major hypothesis of the study was that resource availability would affect judged amenability to treatment in certain cases, with more resources predisposing gatekeepers to see youth as more treatable. A direct, linear relationship was posited. Personnel from three different agency types were considered because a variety of personnel actually make this judgment about juveniles, and it was hypothesized that the effect would be mediated by the agency affiliation of the gatekeeper. It was posited that the effect would be strongest for those gatekeepers having the most direct contact with services.

Design

One hundred sixty-eight professionals took part as subjects in this study. Participants were court (N = 49), social service department (N = 66), and community mental health center (CMHC; N = 53) personnel in six different locales in the same state. The six locales represented the range of service availability throughout the state. Two locales in each of the three conditions (high, medium or low) were chosen and the cooperation of the appropriate personnel in each of these locales was obtained.

Resource availability was determined by indexing the number of alternative youth services (as measured by three different state agencies) to the juvenile population and the number of adolescents needing placement at several points in each local juvenile justice system. Each state planning district was rank ordered. Locales of comparable population size which ranked high, medium, or low on each of the multiple ranks were chosen, and the cooperation of the necessary agencies in these six locales was obtained (22 separate agencies participated).

A standard data collection procedure was then used at each agency. Four prose vignettes with accompanying three to four minute videotaped interviews of juvenile offenders were presented to subjects. After presentation of each vignette, each subject completed 1) a series of ratings (Likert scales and semantic differentials) and open-ended questions about the amenability to treatment of the youth presented, 2) the type of treatment likely to be recommended, and 3) ratings of the general effectiveness of different types of services for problem youth. The order of vignette presentation was counterbalanced for each agency and resource availability condition. All subjects provided individual answers during a regularly scheduled group meeting.

The vignettes were constructed to represent a range of background characteristics shown in other studies to be related to judged amenability. Juvenile case files from a forensic clinic were searched for case information in order to compose prototypic high, medium and low amenability prose case vignettes. Simulated, edited videotape interviews were then made for one high, two medium

and one low amenability vignettes, using local high school actors. Each vignette depicted a white male felon of average intelligence. The prose and videotape vignettes were piloted separately and together with clinical psychology graduate students, using the same rating forms as those used later with agency personnel. The prose and videotaped vignettes gave the predicted range of amenability.

Results

Amenability ratings were analyzed using a 3 (agency type) X 3 (resource availability) multivariate analysis of variance across all vignettes and within each vignette. Service effectiveness ratings were analyzed in the same fashion. Relevant background characteristics of the personnel were entered as covariates in both analyses. Categorical information regarding the types of services recommended was compiled and analyzed using log linear techniques.

In general, there was an observed relationship between amenability judgments and resource availability and agency type, but the hypothesized linear relationship did not emerge consistently. The main findings were:

1) A main effect for resource availability in the perceived benefit of punishment. The less resources, the more punishment was seen as beneficial for the youth. This was a consistent trend across all three agency types.
2) A main effect for agency type in the perceived benefit of punishment. Court personnel across all resource availability conditions saw punishment as more beneficial for the youth.

3) Social service and CMHC personnel in medium resource availability conditions saw youth as more "treatable" than did personnel in the low and high resource availability conditions. Court personnel saw youth as more "treatable" as resources increased.

4) Court and social service personnel in medium resource availability conditions tended to see a variety of services as less effective than comparable personnel in low or high resource availability conditions. CMHC personnel saw services as more effective as services increased.

5) All personnel in all resource conditions saw non-residential therapy (whether individual or family) as the most effective service for problem adolescents. Foster care, on the other hand, was rated consistently low for effectiveness.

6) Individual background characteristics (e.g., age, education, sex, experience) were generally unrelated to amenability judgments on the vignettes. Background characteristics were also unrelated to preferred treatment choices.

Implications

The main intent of this study was to explore the possibility of certain contextual factors (i.e., resource availability and agency type) systematically affecting treatment decisions. These factors did demonstrate an effect on judgments in this study, and future consideration of these contextual variables in studies

of clinical judgment would thus appear warranted. However, given the limitations of the present study (e.g., rating scales versus clinical reports, vignettes versus real cases), caution should be taken in generalizing too far from the findings. The value of this investigation is its contribution to theory development about possible regularities in clinical judgment related to service accessibility. Further field-based research would be necessary to verify that significant variability in actual clinical judgment is related to resource availability.

If confirmed in later field research, however, these findings have at least two implications for juvenile justice policy. First, judgments about amenability may be more sensitive to local conditions than the law assumes. If so, the value of clinical information as a safeguard against arbitrary legal judgments may not be as powerful as hoped. Data like those presented here, therefore, provide some empirical support for proportional disposition proposals such as those of the Twentieth Century Fund (1978) and the Institute for Judicial Administration/American Bar Association (1980). Second, medium resources availability conditions may make personnel more optimistic about the treatment potential of youth, but more pessimistic about the effectiveness of certain services. Conversely, personnel in high or low resource availability conditions may be operating in a more "victim blaming" (Ryan, 1971) atmosphere, where services are seen as effective, but youth are viewed as less treatable. The possible presence of a "service threshold" effect on judged treatability may prove valuable in understanding the adoption or growth or certain types of services for youth in particular areas.

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